

TOWN OF MONSON

SPECIAL TOWN MEETING CERTIFICATION

November 2, 2015

Article 3:

By 2/3 required vote the Town voted to pass over this article, the article has been withdrawn by the Monson Planning Board.

Section 6.25: Home Occupations

The Inspector of Buildings may issue a permit for a home occupation as an accessory use of a residence provided that:

1. Such use is clearly incidental and secondary to the use for residential purposes by its occupants;
2. No more than twenty-five percent (25%) of the combined gross floor area of the dwelling and accessory buildings shall be used for the purposes of the home occupation;
3. New accessory buildings used for a home occupation shall not be larger than fifty percent (50%) of the footprint of the primary residential building. New accessory buildings for a home occupation larger than fifty percent (50%) of the footprint of the principal building may be allowed under a special permit from the Zoning Board of Appeals;
4. The home occupation shall be owned and operated by a resident of the dwelling, and not more than two (2) people not residing on the premises shall be regularly employed on the premises;
5. There shall be no sales of products on the premises in connection with such home occupation;
6. Except for a permitted sign of not more than three (3) square feet, there shall be no exterior display, no exterior storage of materials, no regular outside parking of business vehicles and no other exterior indication of the home occupation or other variation from the residential character of the premises;
7. Traffic shall not substantially increase volumes normally expected in a residential neighborhood;
8. Adequate off-street parking shall be provided in accordance with Monson's Parking provisions. Parking areas shall not be located within ten (10) feet of the front, side, or rear lot line and shall be screened from neighboring residential uses. More than five (5) parking spaces for a home occupation shall require a special permit from the Zoning Board of Appeals;
9. The following home occupations shall not require a special permit:
 - (a) Artist studio including but not limited to a craftsperson, potter, photographer, painter, or musician;
 - (b) Real estate, insurance, financial broker or agent;
 - (c) Dressmaker, milliner, tailor, handicraft;
 - (d) Professional office of a doctor, dentist, cleric, lawyer, engineer, architect, teacher, accountant, or other office of a similar profession;
10. All other home occupations including but not limited to tradesperson, hairdresser/barber, shall require a special permit from the Zoning Board of Appeals. In addition to the above requirements, the Zoning Board of Appeals shall find that the proposed home occupation is suitably located in the neighborhood in which it is proposed and will not create a nuisance, hazard, or disturbance due to air or water pollution, noise, or visual unsightliness.
11. Auto body/repair shops, manufacturing, and printers are not permitted as home occupations.

Article 4:

By 2/3 required vote the Town voted to pass over this article, the article has been withdrawn by the Monson Planning Board.

To amend the Town of Monson Zoning Bylaw, Town of Monson Schedule of Use Regulations (Table 1) by deleting the following sections and further that the Town authorize nonsubstantive changes to the lettering and numbering of the Town of Monson Zoning Bylaw to be consistent with the Town of Monson Zoning Bylaw:

Dwellings and housekeeping facilities for employees and non-paying guests of owner or lessee in accessory building.

Home Occupation:

The use of a portion of a dwelling or accessory building which is incidental and subordinate to the residential use and is for gainful employment by the resident. Home occupations shall include, but are not limited to the following: doctor, dentist, lawyer, engineer, artist, teacher of academic subjects, accountant, family day care worker, real estate or insurance agent, travel agent, secretarial service, tailor, dancing or music teacher, craft instructor, photographer, barber, beauty parlor operator, as well as the use of a portion of a dwelling or accessory building as a place for incidental work and storage in connection with his off-premises trade by a resident builder, carpenter, electrician, painter, plumber, or other artisan, or by a resident tree surgeon, landscape gardener, or similar person, provided that:

- a. Such use is clearly secondary to the use of the premises for dwelling purposes, of which the occupant must be the owner of the dwelling.
- b. Not more than two persons, other than the residents of the premises, are regularly employed therein in connection with such use.
- c. No trading in merchandise is regularly conducted except for products made on the premises or of parts or other items customarily maintained in connection with and incidental to such merchandise.
- d. No external change in made which alters the residential appearance of the building.
- e. All operations, including incidental storage, are carried on within the principal or accessory buildings, and that there is no outward evidence that the premises are being used for any purpose other than residential, except for an accessory sign.

Article 5:

By 2/3 required vote the Town voted to pass over this article, the article has been withdrawn by the Monson Planning Board.

To amend the Town of Monson Zoning Bylaw, Section 5.1, Performance Standards for General & Central Commercial & Industrial Standards by renaming the section as follows and further that the Town authorize nonsubstantive changes to the lettering and numbering of the Town of Monson Zoning Bylaw to be consistent with the Town of Monson Zoning Bylaw:

Section 5.1 Performance Standards.

Article 6:

The Town voted unanimously to authorize and approve an agreement for payment in lieu of taxes (PILOT Agreement), as negotiated by the Board of Selectmen with Nexamp, in accordance with M.G.L. c. 59, §38H and M.G.L. c. 164, §1 and any other enabling authority, for the planned solar electric generating facilities to be located within the Town of Monson and if necessary, further authorize the Board of Assessors to approve the agreement and to authorize the Board of Selectmen to submit a Special Act therefore to the General Court if enabling legislation is necessary, or take any other action relative thereto.

Article 14:

The Town voted unanimously to accept the provisions of Massachusetts General Laws Chapter 60, Section 3D to establish aid to the elderly and disabled through a taxation fund to be used for the purpose of defraying the real estate taxes of low income elderly and disabled citizens. Pursuant to Massachusetts General Law Chapter 60,

Section 3D, the Town will form a Taxation Committee consisting of the Chairperson of the Board of Assessors, the Town Treasurer and three residents appointed by the Select Board. The Taxation Committee will administer the provisions contained herein, including the identification of citizens to receive such aid.

Article 15:

The Town voted unanimously to accept the following paragraph of Massachusetts General Law Chapter 60A, Section 1 that reads as follows:

“In any city or town accepting the provisions of this paragraph, the excise imposed by this chapter shall not apply to a motor vehicle owned and registered by or leased to a resident who is in active and full-time military service as a member in the armed forces of the United States or the national guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the commonwealth for a period of at least 45 days in the calendar year of the exemption. If the military member is wounded or killed in an armed conflict, he shall not be subject to the foregoing period of service qualification for the calendar year in which he is wounded or killed. This exemption shall apply only to a motor vehicle owned and registered by or leased to a military member in his own name or jointly with a spouse for a non-commercial purpose and a military member may qualify for this exemption for only 1 motor vehicle for each calendar year. A municipality which accepts the provisions of this paragraph shall, in connection with the issuance of warrant to collect unpaid motor vehicle or trailer excise tax from a delinquent taxpayer, add \$3 to the fee prescribed in clause 9 of *section 15 of chapter 60*. The acceptance by a municipality of this paragraph shall take effect on the first day of January next occurring after the approval by the municipality to accept this paragraph.”

Article 16:

The Town voted unanimously to accept the provisions of Massachusetts General Law Chapter 60A, Section 9 which provides as follows:

“In any city or town accepting the provisions of this section and notwithstanding any other provision of this chapter to the contrary, any excise due under this chapter by a member of the Massachusetts National Guard or reservist or a dependent of a member of the Massachusetts National Guard or reservist shall be deferred while that member is on active service outside the commonwealth and for a period of up to 180 days after completion of that service. No interest or penalties shall be assessed for any period before the expiration of the 180 days.”

Article 23:

The Town voted unanimously to appropriate up to the sum of up to \$100,000.00 (One Hundred Thousand Dollars) to complete the safety and code violation repairs in Memorial Hall located at 198 Main Street. Built of Monson granite from the former Flynt quarry in 1863 – 1864, this building is an integral part, as well as the cornerstone of the Historic District in the Town of Monson. \$100,000 (One Hundred Thousand dollars) shall be transferred from the Undesignated Account for said repairs, under the Community Preservation Program for preservation of historic and scenic resources pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds to be expended under the administration of the Community Preservation Committee.

Article 24:

The Town voted unanimously to appropriate the sum of \$25,000.00 (Twenty Five Thousand Dollars) to preserve the Marriage Records and the Marriage intensions. These original documents are at risk of being lost. Twenty Nine marriage record books will be repaired, restored, de-acidified, re-sewn and re-bound for permanent protection. The money shall be transferred from the Undesignated Account under the Community Preservation Program for the preservation of historic and scenic resources pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds to be expended under the administration of the Community Preservation Committee,

I, hereby certify that the Special Town Meeting was duly called and held and the warrant was properly posted. The meeting convened at 7:01 pm and upon completion of the articles, the meeting was dissolved at 7:54 pm.

A true copy: ATTEST

Mary F. Watson
Monson Town Clerk